

United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE

CR 17 00324

FILED

OCT 19 2017

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

BLF

UNITED STATES OF AMERICA,

V.

SHAUN ANTHONY KIRKPATRICK,  
TUAN NGOC NGUYEN,  
JULIO CAMACHO PACHECO, and  
QUANG PHUONG HUYNH, a/k/a "Johnny,"

DEFENDANT(S).

SECOND SUPERSEDING INDICTMENT

21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)(viii) (Conspiracy to Distribute  
Methamphetamine)  
21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine; Aiding  
and Abetting)  
21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine)  
21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Possession with Intent to Distribute  
Methamphetamine)  
21 U.S.C. § 853 – (Criminal Forfeiture)

A true bill.

*Ch. Oaks*

Foreman

Filed in open court this 19 day of

October 2017

Clerk

*Nathanael Coorsky*

Bail, \$ no process needed  
*U.S. Magistrate only*

**UNITED STATES V. KIRKPATRICK, ET AL.**

**PENALTIES**

**Count One:**            **21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)(viii) (Conspiracy to Distribute Methamphetamine)**

**Defendants:**

Shaun Anthony Kirkpatrick,  
Tuan Ngoc Nguyen,  
Julio Camacho Pacheco, And  
Quang Phuong Huynh

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

**Count Two:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine; Aiding and Abetting)**

**Defendants:**

Shaun Anthony Kirkpatrick,  
Tuan Ngoc Nguyen,  
Julio Camacho Pacheco, And  
Quang Phuong Huynh

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

**Count Three:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine)**

**Defendants:**

Julio Camacho Pacheco

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

**Count Four:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Possession with Intent to Distribute Methamphetamine)**

**Defendants:**

Julio Camacho Pacheco

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

BRIAN J. STRETCH (CABN 163973)  
United States Attorney

FILED  
OCT 19 2017  
SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

SHAUN ANTHONY KIRKPATRICK,  
TUAN NGOC NGUYEN,  
JULIO CAMACHO PACHECO, and  
QUANG PHUONG HUYNH, a/k/a "Johnny,"  
Defendants.

NO.

**CR 17 00324 BLF**  
VIOLATIONS:

21 U.S.C. § 846 – Conspiracy to Distribute  
Methamphetamine; 21 U.S.C. § 841(a)(1) –  
Possession With Intent to Distribute and Distribution  
of Methamphetamine; 18 U.S.C. § 2 – Aiding and  
Abetting; 21 U.S.C. §§ 853(a)(1) and (a)(2) –  
Criminal Forfeiture

SAN JOSE VENUE

SECOND SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A)(viii) – Conspiracy to Distribute  
Methamphetamine)

Beginning on a date unknown to the grand jury but no later than February 10, 2017, and  
continuing through and including February 17, 2017, in the Northern District of California and  
elsewhere, the defendants,

SHAUN ANTHONY KIRKPATRICK,  
TUAN NGOC NGUYEN,  
JULIO CAMACHO PACHECO, and  
QUANG PHUONG HUYNH,

SECOND SUPERSEDING INDICTMENT

1 and others, known and unknown, knowingly and intentionally conspired to distribute a Schedule II  
 2 controlled substance, specifically, 50 grams and more of methamphetamine, its salts, isomers, and salts  
 3 of its isomers, in violation of Title 21, United States Code, Sections 846, 841(a)(1), and  
 4 841(b)(1)(A)(viii).

5 COUNT TWO: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(viii); 18 U.S.C. § 2 – Distribution of  
 6 Methamphetamine; Aiding and Abetting)

7 On or about February 17, 2017, in the Northern District of California, the defendants,

8 SHAUN ANTHONY KIRKPATRICK,  
 9 TUAN NGOC NGUYEN,  
 10 JULIO CAMACHO PACHECO, and  
 11 QUANG PHUONG HUYNH,

12 and others, known and unknown, each aided and abetted by the other, knowingly and intentionally  
 13 distributed a Schedule II controlled substance, specifically, 50 grams and more of methamphetamine, its  
 14 salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1)  
 15 and 841(b)(1)(A)(viii), and Title 18, United States Code, Section 2.

16 COUNT THREE: (21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii) – Distribution of Methamphetamine)

17 On or about May 3, 2017, in the Northern District of California, the defendant,

18 JULIO CAMACHO PACHECO,

19 knowingly and intentionally distributed a Schedule II controlled substance, specifically, 50 grams and  
 20 more of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United  
 21 States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

22 COUNT FOUR: (21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii) – Possession of Methamphetamine With  
 23 Intent to Distribute)

24 On or about July 19, 2017, in the Northern District of California, the defendant,

25 JULIO CAMACHO PACHECO,

26 knowingly and intentionally possessed with intent to distribute a Schedule II controlled substance,  
 27 specifically, 50 grams and more of methamphetamine, its salts, isomers, and salts of its isomers, in  
 28 violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

//

FORFEITURE ALLEGATION: (21 U.S.C. § 853 – Criminal Forfeiture)

The factual allegations contained in Counts One and Two of this Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of 21 U.S.C. §§ 853(a)(1) and (a)(2).

Upon conviction of any of the offenses alleged in Counts One and Two, the defendants,

SHAUN ANTHONY KIRKPATRICK,  
TUAN NGOC NGUYEN, and  
JULIO CAMACHO PACHECO, and  
QUANG PHUONG HUYNH,

shall forfeit to the United States all right, title, and interest in property constituting and derived from any proceeds defendant obtained, directly or indirectly, as a result of said violations, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violations.

If, as a result of any act or omission of the defendant, any of said property:

- a) cannot be located upon the exercise of due diligence;
  - b) has been transferred or sold to or deposited with, a third person;
  - c) has been placed beyond the jurisdiction of the Court;
  - d) has been substantially diminished in value; or
  - e) has been commingled with other property which cannot be divided without difficulty,
- any and all interest the defendant have in other property shall vest in the United States and be forfeited to the United States pursuant to 21 U.S.C. § 853(p).

All in violation of 21 U.S.C. §§ 853(a)(1) and (2) and Rule 32.2 of the Federal Rules of Criminal Procedure.

FORFEITURE ALLEGATION: (21 U.S.C. § 853 – Criminal Forfeiture)

The factual allegations contained in Counts Three and Four of this Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of 21 U.S.C. §§ 853(a)(1) and (a)(2).

//

//



1 Upon conviction of any of the offenses alleged in Counts Three and Four, the defendant,  
2 JULIO CAMACHO PACHECO,  
3 shall forfeit to the United States all right, title, and interest in property constituting and derived from any  
4 proceeds defendant obtained, directly or indirectly, as a result of said violations, and any property used,  
5 or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said  
6 violations.

7 If, as a result of any act or omission of the defendant, any of said property:  
8 a) cannot be located upon the exercise of due diligence;  
9 b) has been transferred or sold to or deposited with, a third person;  
10 c) has been placed beyond the jurisdiction of the Court;  
11 d) has been substantially diminished in value; or  
12 e) has been commingled with other property which cannot be divided without difficulty,  
13 any and all interest the defendant have in other property shall vest in the United States and be forfeited  
14 to the United States pursuant to 21 U.S.C. § 853(p).


15 All in violation of 21 U.S.C. §§ 853(a)(1) and (2) and Rule 32.2 of the Federal Rules of Criminal  
16 Procedure.

17  
18 DATED: October 19, 2017

A TRUE BILL.

19   
20 FOREPERSON

21  
22 BRIAN J. STRETCH  
23 United States Attorney

24   
25 DANIEL KALEBA  
26 Deputy Chief, Criminal Division

27 (Approved as to form: )  
28 AUSA MARISSA HARRIS

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☒ COMPLAINT ☐ INFORMATION ☒ INDICTMENT☒ SUPERSEDING**OFFENSE CHARGED**

SEE ATTACHMENT

- ☐ Petty
- ☐ Minor
- ☐ Misdemeanor
- ☒ Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**DEFENDANT - U.S.**

SHAUN ANTHONY KIRKPATRICK

DISTRICT COURT NUMBER

17-CR-00324-BLF

**FILED**

OCT 19 2017

CLERK, SUSAN Y. SOOKS  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE, CALIFORNIA**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSESHOW  
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendantMAGISTRATE  
CASE NO.☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Marissa Harris

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome of this proceeding.

1) ☐ If not detained give date any previous summons was served on above charges2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)

NDCA

**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

**DATE OF ARREST**

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments:

Δ1



**UNITED STATES V. SHAUN ANTHONY KIRKPATRICK**

**PENALTIES**

**Count One:**            **21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)(viii) (Conspiracy to Distribute Methamphetamine)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

**Count Two:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine; Aiding and Abetting)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☒ SUPERSEDING
**OFFENSE CHARGED**

SEE ATTACHMENT

- ☐
- Petty
- 
- ☐
- Minor
- 
- ☐
- Misdemeanor
- 
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**DEFENDANT - U.S.**

▶ TUAN NGOC NGUYEN

DISTRICT COURT NUMBER

17-CR-00324-BLF

**FILED**

OCT 19 2017

CLERK SUSAN Y. SOONG  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges ▶
- 
- 2)
- ☐
- Is a Fugitive
- 
- 3)
- ☐
- Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)
- ☒
- On this charge
- 
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
- 
- 6)
- ☐
- Awaiting trial on other charges
- 
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST ▶

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCp 20, 21, or 40. Show District
☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Marissa Harris

**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

A2

**UNITED STATES V. TUAN NGOC NGUYEN**

**PENALTIES**

**Count One:**            **21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)(viii) (Conspiracy to Distribute Methamphetamine)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

**Count Two:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine; Aiding and Abetting)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

Δ2

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☒ SUPERSEDING
**OFFENSE CHARGED**

SEE ATTACHMENT

- ☐
- Petty
- 
- ☐
- Minor
- 
- ☐
- Misdemeanor
- 
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**DEFENDANT - U.S.**

JULIO CAMACHO PACHECO

DISTRICT COURT NUMBER

17-CR-00324-BLF

**FILED**

OCT 19 2017

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW  
DOCKET NO.
☐ this prosecution relates to a pending case involving this same defendant
MAGISTRATE  
CASE NO.
☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Marissa Harris

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☐ If not detained give date any prior summons was served on above charges

 2) ☐ Is a Fugitive

 3) ☐ Is on Bail or Release from (show District)
**IS IN CUSTODY**
 4) ☒ On this charge

 5) ☐ On another conviction

☐ Federal ☐ State

 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

Δ3



**UNITED STATES V. JULIO CAMACHO PACHECO**

**PENALTIES**

**Count One:**            **21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)(viii) (Conspiracy to Distribute Methamphetamine)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

**Count Two:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine; Aiding and Abetting)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

**Count Three:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

Δ3



**Count Four:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Possession with Intent to Distribute Methamphetamine)**

**Penalties:**

Minimum Prison Term: 10 years

Max Prison: Life

Max Fine: \$10,000,000

Minimum Supervised Release: 5 years

Forfeiture

Potential Deportation

Mandatory and discretionary denial of benefits

Special assessment fee: \$100

Δ3

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☒ SUPERSEDING
**OFFENSE CHARGED**

SEE ATTACHMENT

- ☐
- Petty
- 
- ☐
- Minor
- 
- ☐
- Misdemeanor
- 
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**DEFENDANT - U.S.**

▶ QUANG PHUONG HUYNH

DISTRICT COURT NUMBER

CR-17-00324-

**FILED**

DEFENDANT OCT 19 2017

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome of this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)
- ☒
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

**DATE OF ARREST**

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

DEA

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☒
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

17-CR-71207

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Marissa Harris

**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**

- ☐
- SUMMONS
- ☒
- NO PROCESS\*
- ☐
- WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

- ☐
- Arraignment
- ☐
- Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments:

Δ4

**UNITED STATES V. QUANG PHUONG HUYNH**

**PENALTIES**

**Count One:**            **21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)(viii) (Conspiracy to Distribute Methamphetamine)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

**Count Two:**            **21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii) (Distribution of Methamphetamine; Aiding and Abetting)**

**Penalties:**

Minimum Prison Term: 10 years  
Max Prison: Life  
Max Fine: \$10,000,000  
Minimum Supervised Release: 5 years  
Forfeiture  
Potential Deportation  
Mandatory and discretionary denial of benefits  
Special assessment fee: \$100

Δ4